

REMARKS

This patent application presently includes Claims 5-7, 11, 14, 16 and 17, all of which stand rejected. The description of the chain of priority is amended to define it more completely, and all rejections are respectfully traversed.

The examiner objected to the use of the term “priority” with respect to claiming the benefit of the filing date of a provisional application. The undersigned believes that this is incorrect, and the examiner is specifically referred to 37 C.F.R. 1.53(c)(4), which refers to a “claim for priority under 35 U.S.C. 119(e).” Nevertheless, the undersigned did not want to make this an issue in the present application, so the priority description was amended as suggested by the examiner.

The present application is a divisional of Application No. 09/693,623, now U.S. Patent No. 6,567,750, which was a continuation of Application No. PCT/IB99/00734, published in English. This information has also been added to the description of priority.

For the examiner’s convenience, a copy of the front page of U.S. Patent No. 6,567,750 is enclosed.

The examiner asserted that the present application was not entitled to claim the benefit of Provisional Application No. 60/082,692, because there was no copendency between the two. However, the examiner will appreciate that this application, being a divisional, of Application No. 09/693,623 has an effective filing date equal to the filing date of the PCT application, so that copendency, in fact, exists.

All claims were rejected as anticipated by Chen et al. under 35 U.S.C. § 102(b). Chen shows a publication date of October 1997. At the same time, the present application is entitled to a filing date of April 22, 1998 (the filing date of the provisional application). Accordingly, Chen was published within six months prior to the filing date of the present application, so a rejection under 35 U.S.C. § 102(b) is improper and should be withdrawn.

Should the examiner consider applying Chen to make a prior art rejection of the claims in some other form, he is directed to Pages 4-5 of the present application, where this reference is specifically distinguished.

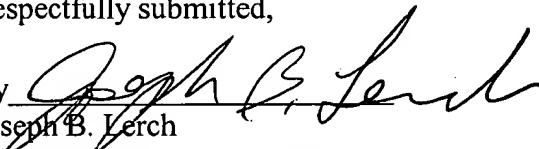
In addition, it is noted that, in accordance with the claims, the present invention involves deriving distributions of data obtained from physical measurements and deconvolving overlapping portions of such distributions. There is not the slightest suggestion in Chen that any derived data distributions might overlap, that deconvolving overlapping portions should be performed, or that it would be of any benefit. Accordingly, Chen does not teach or suggest primary features of the present invention and could not anticipate or render the present invention obvious. All claims should therefore be allowed.

Applicant's attorney has made every effort to place this patent application in condition for allowance. It is therefore earnestly requested that the application, as a whole, receive favorable reconsideration and that all of the claims be allowed as presently constituted. Should there remain any unanswered questions, the examiner is requested to call the applicant's undersigned attorney at the telephone number given below.

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Respectfully submitted,

By


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